



CITY OF SAN DIEGO COMMISSION FOR ARTS AND CULTURE

RULES AND REGULATIONS

Amended November 20, 2009

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I. INTRODUCTION

The purpose of this document is to provide guidelines for conduct of the City of San Diego Commission for Arts and Culture and its members. The City of San Diego Commission for Arts and Culture shall be known and commonly referred to as the Commission for Arts and Culture (referred to herein as “Commission”).

II. PURPOSE AND INTENT

It is the purpose and intent of the City Council to establish a Commission for Arts and Culture to serve in an advisory capacity to the Mayor, City Council and City Manager on promoting, encouraging, and increasing support for the region’s artistic and cultural assets, integrating arts and culture into community life and showcasing San Diego as an international tourist destination.

It is also the purpose and intent of the City Council to set forth the duties and functions of the Executive Director and staff that support the Commission for Arts and Culture, which include: developing, implementing, evaluating and/or recommending changes to public policy, legislation, programs, services and advocacy strategies; overseeing funding allocations in support of non-profit arts and culture organizations, artists, neighborhood arts programs, festivals and artworks in public development; ensuring the inclusion of art in private development; managing artworks owned and controlled by the City; supporting cultural tourism and innovative arts and culture programming; and undertaking other initiatives that contribute to the quality of life, the economic vitality, and the vibrancy of San Diego.

III. COMMISSION FOR ARTS AND CULTURE ESTABLISHED

There is hereby established a Commission for Arts and Culture consisting of fifteen members, who shall serve without compensation.

The members shall be appointed by the Mayor and confirmed by the City Council, subject to the following conditions: 1) The Mayor shall appoint seven members; and 2) the Mayor shall appoint the remaining eight members, one each from a list of three nominations submitted by each Councilmember.

IV. DUTIES AND FUNCTIONS

As set forth in San Diego Municipal Code 26.0701 et seq., the Commission shall:

- a. Advocate for the role and value of arts and culture in civic life.
- b. Promote greater public participation in, and access to, arts and culture.
- c. Evaluate the City’s allocation of Transient Occupancy Tax (TOT) funds for arts and culture and strongly advocate for increasing arts and culture funding to levels which measurably support the vitality and stability of established arts and cultural organizations and which foster an environment attractive to and nurturing of emerging arts and cultural organizations.
- d. Advocate for and explore alternate sources of arts and culture funding including, but not limited to, grants, donations and corporate sponsorships.

- e. Advise on the development, implementation, evaluation and/or change of the City's arts and culture public policy, legislation, programs and services.
- f. Advocate for City public policy, legislation, programs and services that foster a wide range of arts and cultural offerings which engage a diverse public audience.
- g. Review the annual proposed budget for the Commission as prepared by the Executive Director of the Commission and provide recommendations, as appropriate.
- h. Advise on the administration of the budget for the Commission, and the arts and culture allocations within TOT funds including, but not limited to, the Special Promotional TOT Revenue and the Arts, Culture and Community Festivals category.
- i. Oversee and, when appropriate, participate in an open and impartial process for evaluating TOT funding applications from local, non-profit arts and culture organizations.
- j. Recommend to the Mayor, City Council and City Manager the fair distribution of TOT funds to non-profit arts and culture organizations to support local arts and culture programming.
- k. Advise on collections management activities and public art project management activities pertaining to existing and proposed artworks in/proposed for the Civic Art Collection, or contracted for, exhibited on, or erected on public places.
- l. Advise on allocations to and from the Public Art Fund.
- m. Advise on the policies and processes whereby artworks are included in Capital Improvements Program projects and Redevelopment Agency projects and ensure that artists are involved as early as possible in the pre-design or design phases for each project.
- n. Advocate for the fair distribution of arts and culture amenities across each City Council district and throughout the City's neighborhoods.
- o. Participate in the initiation, implementation and/or sponsorship, alone or in partnership with other public agencies or private organizations, of programs and services to support local arts and culture organizations and individual artists.
- p. Serve as the City's advocates for arts and culture within the City Council, as well as the private sector, local, regional, state and federal governments, and international entities, such as Mexico, Canada, Japan and other Pacific Rim countries.
- q. Advise on other arts and culture issues as directed by the Mayor, City Council or City Manager.
- r. Hold regular public meetings and keep written records of the proceedings which shall be public records.
- s. Adopt rules consistent with laws for the governance of its business and procedures.

V. QUALIFICATION OF COMMISSIONERS

Commissioners shall be persons who represent the following: individual arts and culture patrons, artists, educators, the business and professional community, those with professional qualifications and experience or knowledge of a particular arts and culture field, and the general public. Efforts should be made to include Commissioners who represent a diversity of backgrounds including, but not limited to, gender, age, socio-economic class, geographic location, religion, sexual orientation, skills and abilities, ethnicity, political affiliation and/or professional background. Commissioners also shall be persons who will commit to volunteering time to serve on the board which meets monthly, as well as on at least one Commission committee and one Commission review panel on an annual basis.

Board Chairs, Presidents, or other officers of the board of directors of an organization funded by the City through the Commission may not be considered for an appointment to the Commission or accept such a position while a Commissioner. A high-level, full-time employee of an organization funded by the Commission may not be considered for appointment to the Commission or accept such a position while a Commissioner. In selecting Commissioners, the Mayor or the Mayor's designee shall consider whether candidates would be able to effectively and ethically serve in light of any foreseeable conflicts of interest.

VI. DESIGNATION OF COMMISSION CHAIR AND VICE CHAIR

The Mayor may designate one member as Chair in September of each year in which a Chair is to be selected; however, in the absence of such designation, the Commission shall on or after October 15 of such year select from their members a Chair. The Chair shall take office no earlier than October and no later than December. The Vice Chair shall be nominated by the Chair and elected by a majority vote of the Commission.

The Chair presides over all Commission meetings and the Executive Committee meetings, serves as ex-officio member of all Commission committees, and works closely with the Executive Director in areas of advice, planning and advocacy. The Chair, in collaboration with the Executive Director, draws up the agenda for each Commission meeting. In the event of the Chair's vacancy before term expiration, the Vice Chair will act as Chair for the remainder of that term. The Vice Chair performs all the duties of the Chair in the absence or incapacity of the Chair.

VII. COMMISSIONER TERMS

Commissioners shall serve two-year staggered terms for a maximum of eight consecutive years and each member shall serve until a successor is duly appointed and confirmed. An interval of four years must pass before an individual can be reappointed.

The expiration date of all terms shall be August 31.

The Chair shall serve a term of two years and can be designated as Chair by the Mayor for one additional, consecutive year. An interval of two years must pass before an individual can be reappointed as Chair.

The Vice Chair shall serve a term of one year and can be reelected as Vice Chair by the Commission for two additional, consecutive one-year terms. An interval of two years must pass before an individual can be reappointed as Vice Chair.

VIII. COMMISSION MEETINGS AND REPORTING

The Commission will meet monthly and report to the Mayor and City Council on an as needed basis, but not less than one time per year.

The Commission shall conduct its business in accordance with the Ralph M. Brown Act (Brown Act)*, Council Policy 000-16. The Commission will also use *Robert's Rules of Order* to guide its parliamentary procedure.

The monthly Commission meetings are considered “regular” meetings and efforts will be made to establish a fixed, recurring date such as the third Friday of every month. The dates and times of regular meetings will be scheduled with input from the Commissioners. Regular Commission meetings shall be held within the boundaries of the City of San Diego, shall be publicly announced and the dockets shall be posted at least 72 hours in advance.

A “special” Commission meeting may be called by the Commission Chair or by a majority of the Commissioners following the process for special meetings outlined in the Brown Act. Special Commission meetings shall be held within the boundaries of the City of San Diego, shall be publicly announced and the dockets shall be posted at least 24 hours in advance.

All meetings of the Commission shall be held in locations that do not prohibit the admittance of any person, do not require a payment or purchase for admittance, and are accessible to disabled persons.

*The Ralph M. Brown Act is contained in section 54950 et seq. of the California Government Code.

IX. RESIGNATION AND REMOVAL OF COMMISSIONERS

Any Commissioner may submit written resignation to the Chair. The Commissioner resigning must file a Leaving Office Statement with the City Clerk within thirty days of the effective date of resignation. It is the Chair’s responsibility to notify the Mayor of any such resignation.

The Commission may recommend to the Mayor that an individual Commissioner be removed for sufficient cause. Failure to meet attendance requirements is one example of a cause for removal.

X. COMMISSION QUORUM

Eight Commissioners shall constitute a quorum authorized to transact business. Commissioners shall not be entitled to grant proxies.

XI. COMMISSION CONFLICT OF INTEREST CODE

A conflict of interest code shall be adopted for Commissioners, subject to City Council approval pursuant to Chapter 2, Article 6, Division 1 of the San Diego Municipal Code. All Commissioners shall be required to complete and file statements of economic interests in accordance with the conflict of interest code, and shall comply with all applicable ethics laws.

XII. ATTENDANCE

In that it is the intent of the City Council to benefit from every Commissioner's expertise and skills. Therefore, Commissioners will attend regular monthly Commission meetings. Failure to attend at least half of the regular monthly meetings in a given calendar year, or unexcused absence from three consecutive regular monthly meetings (not including special meetings) may result in a recommendation to the Mayor that the Commissioner forfeit the position for cause.

Planned absences must be communicated to the Commission Chair prior to the meeting. A Commissioner shall be deemed absent if the Commissioner fails to be in attendance at a regular meeting for at least half the duration of the regular meeting. The following shall be considered excused absences:

- a. An absence due to an illness or death in the family.
- b. An absence because a Commissioner is away on authorized Commission business.
- c. An absence due to a work-related conflict that cannot reasonably be rescheduled.

XIII. COMMISSION REPRESENTATION

Under no circumstances shall any Commissioner take action, make an appearance or make a statement committing the Commission as a whole unless given authority to do so by either the Commission Chair and/or the Executive Director or if it is clear that the Commission has endorsed the position. This does not preclude any Commissioner from speaking or appearing as a private individual, as long as that Commissioner clearly states he/she is speaking as an individual and not as a representative of the Commission.

XIV. REQUESTS FOR ENDORSEMENT

When an individual or an organization requests the recognition of the Commission in the form of an endorsement or other similar form of public support, the Commission will consider those requests through the following process:

1. The Commission's Executive Committee will review the written request from an individual or organization containing information about the presenter, the organization (if applicable), and the purpose of the request.
2. The Executive Committee will determine whether to docket the request for a hearing at a regular monthly Commission meeting.
3. The Commission will hear the request for recognition if the Executive Committee takes action to include it on the docket.

4. The Commission will take action on the request at a subsequent Commission meeting.

The Executive Committee may refer the individual or organization requesting recognition to one of the following alternate processes for addressing the Commission:

1. Public comment – Upon submitting a speaker slip to the Chair at a Commission meeting, an individual may address the Commission for three minutes during the public comment segment of the agenda.
2. Informational presentation to the Commission – The Commission’s Executive Committee will review the written request from an individual or organization containing information about the presenter, the organization (if applicable), and the purpose of the information presentation. The Executive Committee will determine whether to docket the informational presentation for a hearing at a regular monthly Commission meeting and the Commission will hear any presentations docketed by the Executive Committee. The Commission will not take action on informational presentations.

Letters of support may be written by Commission staff for organizations in good standing who are applying for grant funding. These letters do not constitute endorsement by the Commission.

XV. COMMITTEES OF THE COMMISSION

The Commission will establish standing or ad hoc committees to advise on the work of the Commission. (The term “ad hoc” also means “advisory” or “special” in this context.) All Commission committees shall be conducted in accordance with the Brown Act and Council Policy 000-16. Committees do not have the authority to act for the Commission and will act subject to Commission approval. The Commission will determine the function, structure and length of service for each committee. No committee will include a quorum of Commissioners. A quorum of committee members is required to transact business. Each appointed member of a committee has one vote and all matters are decided by a majority. Committee members are not entitled to grant proxies. Minutes, or other records of proceedings, of all standing committee meetings shall be distributed to the Commission on a regular basis. Commission committees will use *Robert’s Rules of Order* to guide their parliamentary procedures.

The functions, structures, memberships and officers of the Commission’s committees will be reviewed and updated by the Commission at least once per year.

During each year in which a Commission Chair is continuing an existing term, the Commission Chair will cause the functions, structures, memberships and officers of the Commission’s committees to be reviewed, updated and approved by the Commission no later than December of that year. Changes to the functions, structures, memberships and officers of the Commission’s committees made through this process will take effect within 30 days.

During each year in which a Commission Chair is to be designated, the designated Commission Chair will cause the functions, structures, memberships and officers of the Commission’s committees to be reviewed, updated and approved by the Commission no later than 60 days after taking office. Changes to the functions, structures, memberships and officers of the Commission’s committees made through this process will take effect within 30 days.

The Commission Chair will appoint and the Commission will approve the members of each committee. When members of a committee are to be drawn from outside the Commission, the Commission Chair will make those appointments after reviewing a slate of candidates presented by Commission staff. Commission staff may prepare slates by drawing from a pool candidates obtained through methods which include, but are not limited to, an open call for self-nominations and third-party nominations, a review of individuals who have previously served on Commission committees or panels, or a review of individuals who have previously worked on special Commission projects.

The Commission Chair will appoint and the Commission will approve the officers of each committee. Only Commissioners may serve as committee officers. Committee officers will be rotated regularly to ensure that each Commissioner's skills and expertise are being utilized.

Commission staff is responsible for tracking the terms and attendance of all Commission committee members.

Standing committees of the Commission advise the Commission on broad, recurring and/or consecutive issues over a continuous span of time. Standing Commission committees have continuing subject matter jurisdiction and meeting schedules fixed by formal action of the Commission. Standing Commission committees will be initiated for a term of at least one year and may continue indefinitely. Standing committees are authorized to develop operating guidelines beyond the committee descriptions contained herein. Any such operating guidelines will be developed on an as needed basis and with input from Commission staff. Any such committee operating guidelines require the approval of the Commission, but are not considered part of these Rules and Regulations. All standing Commission committees are authorized to designate subcommittees, except the Executive Committee.

Ad hoc committees advise the Commission on special and/or short-term issues and projects and are disbanded upon resolution of the issue or completion of the project. Ad hoc Commission committees do not have continuing subject matter jurisdiction nor do they have meeting schedules fixed by formal action of the Commission.

The Commission hereby establishes the following standing committees:

Title: EXECUTIVE COMMITTEE

Status: Standing

Function: The Executive Committee has the power and duty to conduct the affairs of the Commission and to exercise such powers as may be delegated to it by the Commission when the Commission is not in session. The Executive Committee meets prior to each regular Commission meeting to take action on setting the Commission meeting agenda. The actions of each Commission committee are submitted to the Executive Committee, which decides what items will be placed on the Commission's regular meeting agenda. The Executive Committee does not take action to approve the actions of the other Commission committees, but rather takes action to determine which items will go forward to the Commission for action. The Executive Committee has the authority to refer items back to the submitting committee or other committees. All actions taken by the Executive Committee will be reported at the next regular meeting of the Commission.

The Executive Committee is the only Commission committee which is not authorized to form subcommittees. Additional functions of the Executive Committee include reviewing requests for endorsement and guiding the planning efforts of the Commission.

Membership: The Executive Committee is comprised of no more than seven Commissioners and consists of the Commission Chair, Vice-Chair, the Chairs of each standing Commission committee in addition to any other Commissioners appointed by the Commission Chair and approved by the Commission.

Appointments: Appointed by the Commission Chair and approved by the Commission.

Officers: The Chair of the Executive Committee is the Commission Chair. The Vice Chair of the Executive Committee is the Commission Vice Chair.

Member Terms: Executive Committee member terms duplicate the terms of each committee officer. For example, the Chair of the Public Art Committee will serve as a member of the Executive Committee for as long as that person serves as Chair of the Public Art Committee and so on. The term for each Executive Committee member who is not also serving as an officer of another committee is one year with up to three one-year reappointments.

Officer Terms: The Executive Committee Chair's term in office and the Commission Chair's term in office are one and the same. The Executive Committee Vice Chair's term in office and the Commission Vice Chair's term in office are one and the same.

Regular Meetings: Prior to each monthly Commission meeting and within a timeframe that is adequate for complying with the Brown Act requirements for posting the Commission meeting agenda 72 hours in advance.

Title: POLICY COMMITTEE

Status: Standing

Function: Advises the Commission on the development, implementation, evaluation and/or change of the City's arts and culture public policy, legislation, programs and services; advocates for City public policy, legislation, programs and services that foster a wide range of arts and cultural offerings which engage a diverse public audience; oversees and, when appropriate, participates in an open and impartial process for evaluating TOT funding applications from local, non-profit arts and culture organizations; considers recommendations for policy changes from all Commission committees as well as from Commission advisory panels; analyzes public comments received by the Commission at regular Commission meetings, in final performance reports from Allocations Program contractors, and through other avenues in order to advise the Commission on appropriate courses of action when necessary; tracks the Commission's progress on its Diversity Initiative.

Membership: No more than seven Commissioners.

Appointments: Appointed by the Commission Chair and approved by the Commission.

Officers: The Vice Chair of the Commission may serve as the Chair of the Policy Committee. A Vice Chair of the Policy Committee may also be appointed.

Member Terms: Up to three one-year terms with an option for a fourth one-year term under special circumstances.

Officer Terms: The Policy Committee Chair may serve up to three one-year terms in office with an option for a fourth one-year term under special circumstances.

Regular Meetings: Not less than six times per year.

Title: PUBLIC ART COMMITTEE

Status: Standing

Function: Advises the Commission on collections management activities and public art project management activities; advises on the policies and processes whereby artworks are included in Capital Improvements Program projects and Redevelopment Agency projects; interfaces with the Port of San Diego and its Public Art Department.

Membership: Ten members maximum. Up to four Commissioners; six experts in the fields of arts administration, art, design, planning or community engagement. Representatives from City departments, Redevelopment Agency corporations and the Port of San Diego's Public Art Department also participate as non-voting advisors.

Appointments: Commissioners are appointed by the Commission Chair and approved by the Commission, while community members are recommended by Commission staff, appointed by the Commission Chair and approved by the Commission.

Officers: Chair and Vice-Chair.

Member Terms: Up to three one-year terms with an option for a fourth one-year term under special circumstances.

Officer Terms: The Public Art Committee Chair may serve up to three one-year terms in office with an option for a fourth one-year term under special circumstances.

Regular Meetings: Not less than six times per year.

Title: FUNDING COMMITTEE

Status: Standing

Function: Reviews the annual proposed budget for the Commission as prepared by the Executive Director of the Commission and provides recommendations, as appropriate; advises on the administration of the budget for the Commission, and the arts and culture allocations within TOT funds including, but not limited to, the Special Promotional TOT Revenue and the Arts, Culture and Community Festivals category; advises on recommendations to the Mayor, City Council and City Manager for the fair distribution of TOT funds to non-profit arts and culture organizations to support local arts and culture programming; advises on allocations to and from the Public Art Fund.

Membership: Five Commissioners as follows: The Chair of the Commission, at least one of the Commissioners who served on each of the most recent funding panels, and one Commissioner at large. (Specifies at least one Commissioner member from each panel)

Appointments: Appointed by the Commission Chair and approved by the Commission.

Officers: The Chair of the Funding Committee is the Commission Chair. No Vice Chair.

Member Terms: Up to three one-year terms with an option for a fourth one-year term under special circumstances.

Officer Terms: The Funding Committee Chair's term in office and the Commission Chair's term in office are one and the same.

Regular Meetings: Scheduled as needed, but not less than once per year.

Title: ADVOCACY ADVISORY COMMITTEE

Status: Ad Hoc

Function: Advocates for the role and value of arts and culture in civic life; evaluates the City's allocation of TOT funds for arts and culture and strongly advocates for increasing arts and culture funding to levels which measurably support the vitality and stability of established arts and cultural organizations and which foster an environment attractive to and nurturing of emerging arts and cultural organizations; advocates for and explores alternate sources of arts and culture funding including, but not limited to, grants, donations and corporate sponsorships; advocates for City public policy, legislation, programs and services that foster a wide range of arts and cultural offerings which engage a diverse public audience; advocates for the fair distribution of arts and culture amenities across each City Council district and throughout the City's neighborhoods; serves as the City's advocates for arts and culture within the City Council, as well as the private sector, local, regional, state and federal governments, and international entities, such as Mexico, Canada, Japan and other Pacific Rim countries; interfaces with the San Diego Regional Arts and Culture Coalition.

Membership: No more than seven Commissioners and other invited community representatives, such as members of the San Diego Regional Arts and Culture Coalition, who bring specific knowledge or expertise to the group.

Appointments: Commissioners are appointed by the Commission Chair and approved by the Commission.

Officers: Chair and Vice-Chair.

Member Terms: One year or until the committee is disbanded, whichever comes first.

Officer Terms: The Advocacy Advisory Committee Chair may serve up to three one-year terms in office with an option for a fourth one-year term under special circumstances.

Meetings: Scheduled as needed, but not less than once per year.

Title: CULTURAL TOURISM ADVISORY COMMITTEE

Status: Ad Hoc

Function: Contributes to regional efforts to promote San Diego as an arts and culture destination; participates in the initiation, implementation and/or sponsorship, alone or in partnership, with other public agencies or private organizations, of programs and services to support local arts and culture organizations and individual artists; interfaces with the San Diego Tourism Promotion Corporation, the San Diego Convention and Visitors

Bureau and other hospitality industry associations; serves as the City's advocates for arts and culture within the City Council, as well as the private sector, local, regional, state and federal governments, and international entities, such as Mexico, Canada, Japan and other Pacific Rim countries.

Membership: No more than seven Commissioners and other invited community representatives, such as members of the San Diego Convention and Visitors Bureau, who bring specific knowledge or expertise to the group.

Appointments: Commissioners are appointed by the Commission Chair and approved by the Commission.

Officers: Chair and Vice-Chair.

Member Terms: One year or until the committee is disbanded, whichever comes first.

Officer Terms: The Cultural Tourism Advisory Committee Chair may serve up to three one-year terms in office with an option for a fourth one-year term under special circumstances.

Meetings: Scheduled as needed, but not less than once per year.

Title: STRATEGIC OUTREACH AND COMMUNICATIONS ADVISORY COMMITTEE

Status: Ad Hoc

Function: Promotes greater public participation in, and access to, arts and culture; participates in the initiation, implementation and/or sponsorship, alone or in partnership with other public agencies or private organizations, of programs and services to support local arts and culture organizations and individual artists; recommends methods for increasing the visibility and presence of the Commission in the arts and culture community and the community at large; advises on the connections between the Commission, arts and culture organizations and the business community; interfaces with the San Diego Regional Chamber of Commerce advises on the position of the Commission in the field of arts and culture organizations.

Membership: No more than seven Commissioners and other invited community representatives, such as members of local business associations, who bring specific knowledge or expertise to the group.

Appointments: Commissioners are appointed by the Commission Chair and approved by the Commission.

Officers: Chair and Vice-Chair.

Member Terms: One year or until the committee is disbanded, whichever comes first.

Officer Terms: The Strategic Outreach and Communications Advisory Committee Chair may serve up to three one-year terms in office with an option for a fourth one-year term under special circumstances.

Meetings: Scheduled as needed, but not less than once per year.

COMMISSION ADVISORY PANELS

The Commission may establish advisory panels to augment the work of the committees, to support to goals of the Commission, to provide opportunities for community members to participate in Commission processes, and to utilize the input and feedback of panelists in the Commission's decision-making processes. All Commission advisory panels shall be conducted in accordance with the Brown Act and Council Policy 000-16. Panels do not have the authority to act for the Commission and will act subject to Commission approval. The Commission will determine the function and structure for each panel. Panel composition is sustained for the duration of a single project and then subsequently renewed for the next project. The purpose of the panels is to engage a diverse and evolving range of constituents in the Commission's processes. Commission staff is authorized to develop panel operating guidelines for the Commission's approval, but any such panel operating guidelines are not considered part of these Rules and Regulations. All members of Commission advisory panels shall be recommended by Commission staff, appointed by the Commission Chair and approved by the Commission and need not necessarily be Commissioners. Panel members are not entitled to grant proxies. Records of the proceedings of all panel meetings shall be distributed to the Commission on a regular basis.

The Commission Chair will appoint and the Commission will approve members of advisory panels after reviewing a slate of candidates presented by Commission staff. Commission staff may prepare the slate by drawing from a pool candidates obtained through methods which include, but are not limited to, a survey of Commissioners' preferences, an open call for self-nominations and third-party nominations, and a review of individuals who have previously served on Commission committees or panels, or a review of individuals who have previously worked on special Commission projects.

Commission staff is responsible for tracking the terms and attendance of all Commission advisory panel members.

XVI. AMENDMENTS

These Rules and Regulations may be amended or repealed by action of the Commission. The date of approval for each amendment to the Rules and Regulations will be recorded in the log below.

Amendment Log:

Amended November 20, 2009

Amended September 21, 2009

Amended August 21, 2009

Amended November 21, 2008